

Meeting Summary

eHealth Technical Advisory Committee

January 12, 2010 12:00-1:30PM

Approval of Past Meeting Summaries:

Participants were asked whether there were any corrections to the 11/13, 11/30, or 12/15 meeting summaries before they were posted on the public website. John Mattison indicated a correction to be made to the 12/15 meeting summary regarding a comment he made about the timing of the NHIN. Instead of it reading that the NHIN will be operational in two years, his point was that the successful go-live status of a project involving Kaiser Permanente and the VA connecting via the NHIN refutes estimates claiming that NHIN is two years away. The meeting summary will be updated to reflect this change.

Walter asked whether there was a timeline for release of NHIN specifications. John answered that the initial specifications were already released, but that there is an ongoing process to evolve the specifications, and that new specifications would be released as additional standards complete the IFR process.

Governance:

As background, recent email discussions among the group indicated some confusion and uncertainty about the committee's governance structure. Several suggestions for improvements were made, which were summarized along with a proposed go-forward approach by Jonah in an email message to the group. During the meeting, several issues that had been raised pertaining to governance were covered.

Appropriate Level of Input and Missing Elements:

According to the Technical Committee charter, the Technical Advisory Committee is responsible for defining high-level priorities and business processes that state HIE services should support. This function includes input into how the soon-to-be-available straw man architecture aligns with the priorities and business processes of stakeholders.

Participants were asked whether additional clarification or changes to documentation were needed to make this clear. Terri Shaw asked whether the current language in the charter was meant to reflect that the high-level priorities and processes established by TAC would guide the work of the TWG. Walter stated that this was the case.

Lucia Savage suggested that it would not be productive to rewrite the existing guidelines, but it would be useful to have a very clear understanding of who is directing whom. She raised the question of how even a straw man architecture could be designed without any guiding principles having been established by TAC, which nevertheless appears to be the reality given the current timeline. Walter acknowledged the challenges of the timeline, and pointed out that one intent of the charter was to establish some of those principles. His impression was that the group had accomplished some of this during earlier calls.

where the charter was reviewed and also on 12/15, when priorities such as the role of NHIN technologies and the centrality of meaningful use were discussed. He then asked whether other members felt differently.

Laura Landry stated that what has been missing is the discussion of what the principles and guidelines mean and how they are to guide the technical infrastructure. While principles have been established at the highest level, the group has not articulated a strategy nor decided what strategy to support. From her perspective, discussions have been happening at the highest level as well as the lowest level of design, but there has been no discussion in the middle to come to an agreement on issues such as how to ensure that the state HIE infrastructure reflects what is needed, includes what stakeholders are willing to pay for, supports meaningful use, and does not destroy local HIOs. The question could be formulated as, where is additional infrastructure needed and what assets does the state already have? Jonah agreed that the question should go beyond HIOs and include other assets such as IDNs, IPAs, health plans, etc. Walter affirmed the importance of making sure that the design of the technical architecture is aligned with TAC's thoughts on all of these issues.

Wayne Sass indicated that the concerns raised seemed to have already been identified and addressed in Principle 10 of the charter, and that there was simply a need for more discussion at a greater level of detail. In his view, the role of the TAC is akin to that of a steering committee providing oversight to the design work of the TWG. This would include fleshing out the details of the principles and communicating these to the TWG, while engaging in a continual process of design review and clarification of those principles to the TWG as necessary. Laura agreed with this. Lucia Savage added that she would like to know what each of the principles means in practicality so that she evaluate appropriately the elements in the straw man technical architecture.

Laura expressed her confusion over whether the current process was meant to use the committee as a resource to help develop the technical design document, or rather involved creating the document independently and then asking the committee for feedback. Walter replied that he did not see these as alternatives, and that the rationale behind creating a straw man was to accelerate the process of identifying issues in light of the required timeline. The current approach does not open up the design space as broadly as an approach that considers all issues and possibilities ahead of time, but has the significant advantage of being faster to arrive at a very tentative initial design that facilitates the identification of issues and missing requirements in the context of the principles articulated by the committee.

Jonah affirmed the importance of fully utilizing both the TAC and TWG as resources to move the design in the proper direction from the initial straw model. He also agreed that the group needed to determine how to operationalize the committee's principles so that they can be applied to the straw model with full participation by members of the TAC.

Specific Governance and Process Topics:

The meeting then turned to various topics pertaining to governance and process. The points below summarize the articulation thereof by participants. Unless otherwise noted, consensus on these points was not pursued. However, unless noted to the contrary, there was a general spirit of agreement as well as lack of expressed disagreement in these discussions.

Role of Technical Advisory Committee:

A discussion articulating the role of the TAC raised the following points.

- The primary role of the TAC is to inform the design of the state HIE infrastructure by setting the priorities of the TWG. The TAC reviews and evaluates the output of the TWG against design criteria such as identified business requirements, guidelines, and principles to ensure that the technical design of the state HIE infrastructure is in compliance with those criteria and ultimately meets the requirements of the state.
- The role of the TAC is not to provide technical design input; this function is handled by the TWG.
- TAC needs to coordinate its efforts with those of other committees. TAC will provide input to the Finance Committee with respect to budget items needed to support the design and operations of the state HIE infrastructure. TAC will also accept input from other committees such as the Vulnerable and Underserved Committee to ensure that the state's needs are being addressed and supported through the technical architecture.
- The TAC makes recommendations regarding the work of the TWG to the Governance Entity for approval.

Relationship Between TAC, TWG, and Other Committees:

Jonah was asked to clarify the relationship between TAC, TWG, and other committees. The following points were made:

- A hierarchical relationship exists between TAC and TWG, with TWG tasked with providing work products and recommendations for review and consideration by TAC. Thus, TAC and TWG are not peer committees. Wayne Sass and John Mattison recommended that this relationship be communicated clearly to participants of both committees in order to dispel any confusion and to facilitate smooth functioning of the process.
- TAC is a peer to the Finance Committee, Vulnerable and Underserved Committee, and Patient Engagement Committee are all peers.

Decision-making Authority of TAC:

While the consensus model will be pursued at all times when possible, disagreements may arise between TAC and TWG. Walter asked how such disagreements should be handled. Consistent with clarification that TWG is working under the direction and review of TAC, Wayne Sass suggested that TAC should have the authority to override a decision made by TWG after giving due consideration and coming to a determination that it was not in accordance with certain principles, guidelines, or other requirements. This arrangement is similar to how Cal PSAB operates in relation to its subcommittees.

Role and Selection of Co-Chairs:

During the meeting, the role of the TAC co-chairs was defined through interactive discussion among participants. The following co-chair functions were identified:

- To help to identify issues pertaining to the straw man state HIE infrastructure design where additional input/guidance by TAC is needed. Such work will not focus on developing the technical design itself, but rather on determining the extent to which the straw model is consistent with the principles and requirements understood by TAC to be important, as well as identifying areas of need where such principles or requirements are not well-represented.
- To organize committees to carry out the work identified.
- To coordinate between the work of the TAC, TWG, and other committees (such as the Finance Committee). The co-chairs would be responsible for providing and requesting input from TWG and other committees. This would include attending Operations Team meetings to exchange information with co-chairs of other committees.
- To clearly communicate and facilitate the decision-making process with the group.
- Estimated time commitment is 4-5 hours per week.

The process by which to nominate co-chairs was also discussed. It was decided by consensus that members would be free to nominate themselves or other members to serve as co-chairs, that this process would take place over email, and that Jonah would choose the co-chairs from those nominations before the next meeting. Jonah indicated that there should be a diversity of organizations represented between the two co-chairs. There were no objections to this process.

Process of Decision-making:

Participants brought up the following points in the course of discussing the TAC's decision-making process.

- There was general agreement that for the purpose of making decisions and determining recommendations, the committee will have as a goal to arrive at consensus.
- Lucia Savage made the point that there are two definitions of "consensus" that she has come across: (1) everyone agrees, or (2) those who disagree are still able to accept the decision. She and John Mattison proposed that the latter definition be used given the need to move forward quickly. There was general agreement among participants on this point, and no one raised any objections to this.
- All discussion items requiring consensus should be clearly introduced and the group explicitly asked whether there is consensus among the group. This will be part of the role of the co-chair(s).
- Where there is consensus on a recommendation, this will be documented as such and communicated as a consensus recommendation.
- Where consensus is not able to be reached, the members making the objections and the reasons for disagreement will be documented.
- It should be the expected responsibility of TAC members to voice their objections to a recommendation or conclusion at the time that they are discussed. Terri Shaw suggested that

the group could use a mechanism whereby for important issues, the members of the group are explicitly polled on an individual basis to elicit opinion and ensure all voices are heard.

- Where consensus is not possible, decisions will be made by vote. The outcome will be documented along with how each member voted.
- Discussion around the voting process generated a number of sub-issues.
 - Proxy voting:
 - John Mattison suggested that if a member cannot be present at a meeting, that a proxy designated by the member be allowed to vote on the member's behalf. The member should notify the co-chair of this ahead of the meeting.
 - John Mattison suggested that the issues to be voted upon be announced ahead of TAC meetings so that an appropriate proxy could be chosen. Also, the proxy should have limited authority to vote only on the specific issues authorized by the committee member. This latter point would be important for accountability and documentation purposes to prevent confusion.
 - Walter pointed out that given the speed at which the committee had to move, it often would not be possible to foreknow the issues requiring a vote ahead of time.
 - Wayne Sass agreed with Walter, and voiced his concern that a complicated proxy process requiring management would be unwieldy. He suggested that a member designate a representative (general proxy) instead of a limited proxy.
 - Lucia Savage felt that issue-specific proxies are unnecessary because whomever is given proxy should be trusted for their judgment, be at a certain level within the organization, and briefed on the issues to a sufficient depth to be able to handle the role.
 - Terry Hearn agreed with simplifying the designation of a proxy to mean a general proxy, and that it would not always be possible to know what the issues to be voted on will be ahead of time. John supported this position.
 - Terri Shaw raised a concern about certain organizations not having appropriate representation available by proxy. She felt that it would be important to as a rule follow the consensus approach and only rarely resort to a vote. In the event that a vote be required, there should be a mechanism given to members not able to make the meeting to provide their input within a time window outside the meeting.
 - Voting outside of meetings (online/email):
 - Walter suggested that a provision to vote by email could be allowed if, during a meeting, quorum has not been reached, or an issue is deemed important enough to warrant a vote by the larger group. John Mattison added that this could be at the discretion of the co-chair(s), who would make a decision based on the strength of the consensus reached and the nature of the issue.
 - Laura Landry proposed that email/online voting be made available for all issues. She suggested that the co-chair(s) distribute the important issues requiring a vote by a certain time following the meeting, whereupon members would have

a time window within which to vote. This would allow members to vote at the convenience of their own schedule. Terri Shaw supported this idea.

- Lucia Savage felt that voting outside of meetings would remove the incentive to make the meetings, and would also lead to a loss of context and nuance when the complexities of what was discussed during the meeting are missed over email. She proposed using email voting sparingly (less than 10% of the time) or not at all. John Mattison agreed with Lucia's point that context is lost over email.
- Quorum:
 - Walter suggested that the number needed to achieve quorum be low enough to allow decisions to be made, given that the committee will begin meeting on a weekly basis. Given the estimated number of organizations represented in the TAC (~25), he suggested an attendance of 10.
 - John Mattison proposed a simple majority, assuming that the group would allow proxy voting.
 - Quorum is necessary both to achieve consensus and to put decisions to a vote.
- Voting rights:
 - Only a member of TAC or designee (proxy) of a member may vote. There was general agreement on this point.
- John Mattison formulated and sent via email a proposal to the group taking into account some of the above points, touching on the (1) definition of consensus, (2) advance notification of the chair regarding proxy, (3) nature of the designee being a general proxy, (4) definition of quorum as a simple majority of members/designees, (5) requirement of a quorum to vote but not to meet, (6) vote by simple majority, (7) role of the chair to open voting to membership by email or to defer vote. Walter suggested that in the interest of time participants review the proposal and provide feedback/agreement via email.

Meeting Goals:

Per Laura Landry's suggestions distributed over email, the purpose of TAC meetings were explicitly stated as: (1) to provide input to the TWG as to what modifications to the design of the technical architecture are needed based on business and clinical needs, (2) to provide input to the Finance Committee with respect to budget items needed to support technical and operational requirements, and (3) to address input received from other committees.

Coordination with TWG and Other Workgroups:

In order to improve the coordination and speed of communication between TAC and TWG, Kim Ortiz made the suggestion that a representative of the TWG be included as a regular observer of the TAC meetings. This would be helpful to provide insight into the decisions being made by TWG with respect to the design of the technical architecture. The initial thought was to have one of the TWG co-chairs perform this function. However, in recognition of the already substantial time commitment of co-chairs, Laura Landry suggested a non-co-chair representative that would specifically play the role of liaison

between the two groups. She also added that it may be appropriate to appoint two people to this role to ensure coverage.

For the purposes of coordinating with other committees, Jonah indicated that the Operations Team is the coordinating body for the various workgroups and would be the appropriate place for the committees to share information with each other and give and receive input. Thus, one of the responsibilities of the TAC co-chair will be to attend weekly one-hour Operations Team meetings.

Email vs. Website for Online Discussions:

There had been some suggestions made to begin utilizing the ProjectSpaces discussion forum functionality for TAC discussions instead of or in addition to using the email discussion list. Staff have confirmed that it is not possible to notify project members of new message posts on ProjectSpaces. In the interest of time, Walter suggested continuing to use the email list for discussions and revisiting the topic as needed at the next meeting.

Tiger Teams:

Due to time constraints, discussion on Tiger Teams was tabled. Walter suggested that these teams be created on an as-needed basis to address areas of focus pertaining to the straw man architecture as the committee undertakes its review.

Face-to-Face Meeting:

John Mattison suggested that given the amount of work to be done in the remaining timeline and the controversial nature of certain issues, that an in-person meeting of the TAC be organized for February. Scott Whyte and Lucia Savage strongly agreed with this idea and there was general agreement that this was a good suggestion, although scheduling may be an issue given that such a meeting would need to happen soon. A quick poll of participants identified Monday, Wednesday, and Thursday as being the most promising days from a scheduling perspective.

Next Steps:

1. An attempt will be made by email to schedule a face-to-face TAC meeting in early February.
2. Next Tuesday's meeting will be rescheduled for another day so that Jonah will be able to attend. The straw model will be reviewed at that time.
3. Nominations for co-chairs will be solicited by email, with CHHS selecting two co-chairs from among the nominees.
4. Volunteers from the TWG will be sought to play a liaison role to the TAC.
5. Members will provide feedback to the decision-making process sent to the discussion list by John Mattison.
6. The straw model will be made available for review by TAC members later this week.

Summary of Key Questions/Issues/Decision Points:

- The primary role of the TAC is to inform the design of the state HIE infrastructure by setting the priorities of the TWG through review and evaluation of the output of the TWG against identified business requirements, guidelines, and principles to ensure that the technical design of the state HIE infrastructure meets the requirements of the state and its constituents.
- TAC will coordinate with the activities of the other workgroups, actively soliciting and providing input as appropriate to the design and operational needs of the technical architecture.
- TAC has the authority to override a decision made by TWG after giving due consideration and coming to consensus that it was not in accordance with certain principles, guidelines, or other requirements. In the absence of a consensus on over-riding a TWG decision, the TAC will defer to the judgment of the TWG.
- TAC will follow an established decision-making process rooted in consensus. Consensus is defined as agreement and tolerable disagreement among members (i.e., consensus does not require unanimity, but it does require the absence of strenuous objections). When consensus is not possible, the committee will base its decisions on the outcome of a formal vote (by members and designated proxies).
- The following process for conducting votes was agreed to:
 - For a vote to take place at a meeting, a quorum must be in attendance. A quorum is a simple majority of the organizations represented within the TAC (each organization can have one representative for purposes of establishing a quorum and voting).
 - If unable to attend a meeting, the primary representative from each organization on the TAC may designate a proxy for purposes of attaining a quorum and casting votes. The designation must be expressed by email sent to the co-chairs prior to the start of the meeting. In the absence of such a designation, the organization will not count towards achieving quorum nor be able to vote at that meeting.
 - At the discretion of the co-chair(s) in attendance at a meeting, a vote may be held during the meeting (provided a quorum is present), a vote may be deferred until a future meeting, or a vote may be conducted by email outside of a meeting.
 - For deciding the outcome of a vote, a simple majority of the organizations in the “voting pool” will prevail. For votes taken during a meeting, the voting pool will consist of the organizations in attendance. For votes taken by email, the voting pool will consist of all organizations that cast a vote within a reasonable period of time.
- Nominations for co-chairs will be solicited and CHHS will select two co-chairs from among the list of nominees.

Members Present

Full Name	Title + Org
Bill Beighe	CIO, Physicians Medical Group of Santa Cruz
Zan Calhoun	CIO, Healthcare Partners
Terry Hearn	National Manager for Health Information Technologies, Wellpoint
Ron Jimenez	Associate Medical Director, Clinical Informatics, Santa Clara Valley Health & Hospital System
Scott Joslyn	CIO, Memorial Care
Laura Landry	Executive Director, Long Beach Network for Health
Ann Lindsay	Health Officer, Humboldt County
Ronald Leeruangsri	County of Los Angeles Chief Executive Office
Mason Matthews	County of Los Angeles Chief Executive Office
John Mattison	CMIO, Southern California Region Kaiser Permanente
Greg McGovern	CTO, Adventist Health
Kim Ortiz	Chief Deputy Director, Medi-Cal
Glen Moy	Sr. Program Officer, California Health Care Foundation
Ray Otake	CIO, Community Health Center Network
Ray Parris	CIO, Golden Valley Health Center
Wayne Sass	CIO and Privacy Officer, Nautilus Healthcare Management Group
Lucia Savage	Assoc. General Counsel, United Health Care
Terri Shaw	Deputy Director, Children's Partnership
Bob Swetnam	Information Technology Manager, Health Services, County of Santa Cruz
Scott Whyte	Sr. Director for Physician and Ambulatory IT Strategy, Catholic Healthcare West
Bill Spooner	CIO, Sharp Healthcare

Staff Present

Name
Walter Sujansky
Peter Hung